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Attorneys for Plaintiffs/Counter-Defendants, LARGO
 CONCRETE, INC. and N.M.N. CONSTRUCTION, INC.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

LARGO CONCRETE, INC., a California
 Corporation; N.M.N. CONSTRUCTION,
 INC., a California Corporation.

Plaintiffs,

v.

LIBERTY MUTUAL FIRE
 INSURANCE COMPANY, a
 Massachusetts Corporation, and DOES 1
 through 100, inclusive.

Defendants.

Case No. C07-04651 CRB (ADR)
The Hon. Charles R. Breyer

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE
 AND RELATED DEADLINES**

Current Date: 02/01/08
 Proposed New Date: 02/29/08

AND RELATED COUNTERCLAIM

Complaint filed: September 10, 2007

Plaintiffs/Counter-Defendants LARGO CONCRETE, INC. and N.M.N.
 CONSTRUCTION, INC ("Largo") and Defendant/Counter-Claimant LIBERTY
 MUTUAL FIRE INSURANCE COMPANY ("Liberty"), by and through their counsel,
 hereby enter into this Stipulation with respect to the following facts:

WHEREAS, on October 23, 2007, Liberty filed a Motion to Disqualify
 Roxborough, Pomerance & Nye, LLP from representing Largo in this matter;

WHEREAS, a hearing was held in this Court on Liberty's motion on December
 21, 2007;

1 WHEREAS, the Court filed its Order granting Liberty's motion on January 2,
2 2008;

3 WHEREAS, January 11, 2008 is the last day for the parties to meet and confer
4 regarding their initial disclosures, early settlement, ADR process selection, and
5 discovery plan, and file a Joint ADR Certification;

6 WHEREAS, January 25, 2008 is the last day for the parties to file their Rule 26(f)
7 Report, complete initial disclosures, and file a Case Management Statement;

8 WHEREAS, the Initial Case Management Conference ("CMC") is currently
9 scheduled to take place on February 1, 2008 at 10:00 a.m. in Courtroom 8 of this Court;

10 WHEREAS, Largo has been unavailable and only received the Court's Order on
11 January 8, 2008, and therefore requires additional time to address the contents and
12 implications of the Court's Order prior to engaging in the required meet and confer
13 process under Rule 26;

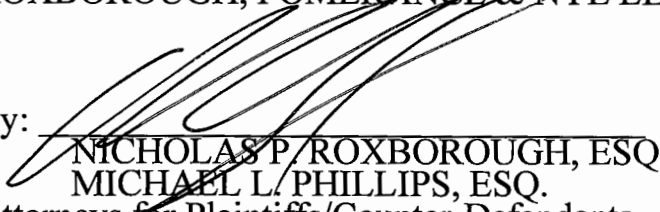
14 For these reasons, IT IS HEREBY STIPULATED by the parties, through their
15 respective counsel of record, that the Court enter an Order as follows:

- 16 A. The Initial Case Management Conference currently scheduled for February
17 1, 2008 at 10:00 a.m. in Courtroom 8 of this Court is continued to March 7,
18 2008 at 10:00 a.m. in Courtroom 8 of this Court.
- 19 B. All other pre-CMC deadlines are continued as set forth in the Court's
20 September 10, 2007 Order Setting Initial Case Management Conference
21 and ADR Deadlines.

22 IT IS SO STIPULATED.


23 DATED: January 9, 2008

ROXBOROUGH, POMERANCE & NYE LLP

24
25 By: 
26 NICHOLAS P. ROXBOROUGH, ESQ.
MICHAEL L. PHILLIPS, ESQ.
27 Attorneys for Plaintiffs/Counter-Defendants,
LARGO CONCRETE, INC. and N.M.N.
28 CONSTRUCTION, Inc.

1 DATED: January 9, 2008

SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP

2
3
4 By: 
5 SCOTT SVESLOSKY
Attorneys for Defendant/Counter-Claimant
LIBERTY MUTUAL FIRE INSURANCE
6 COMPANY

7 **ORDER**

8 The Court, having read and considered the foregoing Stipulation, and good cause
9 appearing therefore,

10 IT IS HEREBY ORDERED AS FOLLOWS:

- 11 A. The Initial Case Management Conference currently scheduled for February
12 1, 2008 at 10:00 a.m. in Courtroom 8 of this Court is continued to March 7,
13 2008 at 10:00 a.m. in Courtroom 8 of this Court.
- 14 B. All other pre-CMC deadlines are continued as set forth in the Court's
15 September 10, 2007 Order Setting Initial Case Management Conference
16 and ADR Deadlines.

17 DATED: _____

18
19 _____
Honorable Judge Charles R. Breyer

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 5820 Canoga Avenue, Suite 250, Woodland Hills, California 91367.

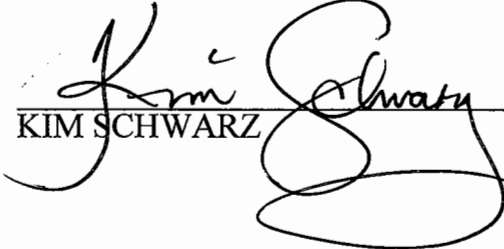
On **January 9, 2008**, I served the foregoing documents described as **STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT CONFERENCE AND RELATED DEADLINES** on the interested party(ies) in this action by placing true copies thereof enclosed in sealed envelopes and/or packages addressed as follows:

Frank Falzetta, Esq.
Scott Sveslosky, Esq.
**SHEPPARD MULLIN RICHTER &
HAMPTON LLP**
333 South Hope Street, 48th Floor
Los Angeles, CA 90071-1448
Tel: (213) 620-1780 | Fax: (213) 620-1398
Email: ffalzetta@sheppardmullin.com
ssveslosky@sheppardmullin.com

ATTORNEYS FOR DEFENDANT
**LIBERTY MUTUAL FIRE INSURANCE
COMPANY**

- ☒ **BY ELECTRONIC MAIL:** I caused such documents listed above to be transmitted via e-mail to each of the parties on the attached service list at the e-mail address as last given by that person on any document which he or she has filed in this action and served upon this office.
- ☐ **BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand to the offices of the each addressee(s).
- ☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on **January 9, 2008**, at Woodland Hills, California.


KIM SCHWARZ